

**REMARKS**

Claims 1, 2 and 4-26 are presently pending in the above referenced patent application. The Examiner has withdrawn claims 4, 6-8 and 10-26 from consideration as being directed to a non-elected invention or species. Claims 1, 2, 5 and 9 are rejected pursuant to 35 U.S.C. §102(b), and claim 1 is objected to as informal.

All of the Examiner's objections and rejections are overcome or rendered moot in view of the amendments set forth above and/or the remarks that follow.

Claim 1 is amended herein to overcome the objection thereto and to recite that the trench-like ink chamber extends from one end plane to another end plane and maintains a constant depth. No new matter is added by the amendments to claim 1, support for which is provided throughout the specification and drawings of this application, including, *inter alia*, at page 30, lines 16-18 of the specification.

Applicants note, for the record, that the amendments to claim 1 are being made solely to expedite allowance of this application. By amending claim 1, Applicant does not acquiesce to its rejection, or to the reasons currently or previously offered by the Examiner in support of its rejection. Also, by amending claim 1, Applicant does not dedicate the subject matter of claim 1 - as filed or as previously pending - to the public. Moreover, Applicant reserves the right to seek patent protection for one or more claims that are similar or identical to claim 1 - as filed and/or as previously pending - in a related application.

### **Claim Objections**

Claim 1 is objected to as being informal because the feature "said ink chamber" lacks proper antecedent basis. Applicant has amended claim 1 herein to provide antecedent basis for "said ink chamber." In view of this amendment, the objection to claim 1 is overcome, and should be withdrawn.

### **Claim Rejections**

Claims 1, 2, 5 and 9 are rejected pursuant to 35 U.S.C. §102(b) as being anticipated by Takahashi (JP 09-094954) (hereinafter referred to as "the Takahashi reference"). To support the rejection, the Examiner merely cites to two figures (i.e., Figures 4 and 6) of the Takahashi reference, without any accompanying narrative as to why these figures anticipate claims 1, 2, 5 and 9 of this application.

The Takahashi reference describes and depicts, in pertinent part, an ink passage 4 (as shown in Figures 4 and 6 of the Takahashi reference, and as labeled by the Examiner as an "ink chamber trench") and a shallow trench/vadum 15 (as shown in Figure 5 of the Takahashi reference). Ink passage 4 and trench/vadum 15 are formed at piezoelectric channel substrate 14 (see Figure 6 of the Takahashi reference). These various elements also are shown in Enclosed Reference Figure 1, which Applicants have drawn based on information within the Takahashi reference.

According Paragraph 0018 of the enclosed machine translation of the detailed description of the Takahashi reference, when the end plane at the rear of the channel is ground/polished via a mechanical method, only shallow trench/vadum 15 will remain (as shown in Figure 5(c) of the Takahashi reference), and separation formation of electrode connection 18 (which supplies power to a passage end face via an external electrical circuit) will occur.

Thus, since only the electrode film in the shallow trench/vadum 15 remains, and the electrode connection 18 is formed in a separated manner, then it logically follows that the electrode connection 18 will be formed *only* in the shallow trench/vadum 15, not in ink passage 4. This is shown by the dotted lines on enclosed Reference Figure 2, which Applicants have drawn based on information within the Takahashi reference.

On page 4 of the October 20, 2003 office action, the Examiner appears to allege that the electrode connection 18 depicted in Figure 6 of the Takahashi reference anticipates the filling member of the ink jet head of claim 1. However, because the electrode connection 18 of the apparatus that is depicted and described in the Takahashi reference is located *only* in the shallow trench/vadum 15 (not in the ink passage 4), then the ink passage 4 is not "filled" by the electrode connection 18. Therefore, the electrode connection 18 that is depicted and described in the Takahashi reference is neither equivalent to nor suggestive of the filling member that is recited in claim 1.

At least in view of this difference between the ink jet head of claim 1 and the apparatus depicted and described in the Takahashi reference, claim 1 is patentable over the Takahashi reference.

Regarding claims 2, 5 and 9, each of these claims depends either directly or ultimately from claim 1, and, therefore, includes the features thereof. For at least this reason, claims 2, 5 and 9 are patentable over the Takahashi reference as well.

In view of the amendments and/or remarks set forth above, claims 1, 2, 5 and 9 are in condition for allowance, and reconsideration and allowance of these claims are respectfully requested.

Applicants also respectfully refer the Examiner to paragraph 1 of page 4 of the October 29, 2002 action, in which the Examiner indicated that claim 1 of the present application was generic. In accordance with 37 C.F.R. §1.141, any claims that depend from claim 1, but that were previously withdrawn as being directed to a non-elected species are now also in condition for allowance.

Therefore, withdrawn claims 4, 6-8 and 10-20 (each of which depends either directly or ultimately from claim 1) are in condition for allowance as well. Reconsideration and allowance of claims 4, 6-8 and 10-20 (and claims 21-26) are respectfully requested as well.

If the undersigned can be of any assistance in advancing the prosecution of this case, the Examiner is invited to contact him through the information given below.

Respectfully submitted,

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